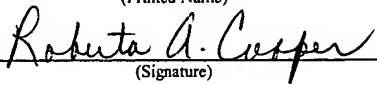




Atty. Dkt. No. 035729-0103

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Scott Ryan  
Title: GAS-BORNE MATTER  
COLLECTION DEVICE  
Appl. No.: 10/808,114  
Filing Date: 3/24/2004  
Examiner: David A. Redding  
Art Unit: 1744  
Confirmation No.: 4511

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 962270055 US	03/06/07
(Express Mail Label Number)	(Date of Deposit)
Roberta A. Cooper	
(Printed Name)	
	
(Signature)	

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Mail Stop **ISSUE FEE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Notice of Allowance dated February 14, 2007, concerning the above-referenced patent application.

The Examiner stated the following:

The prior art of record fails to teach or suggest a collection device comprising a substance comprising a hydrocolloid and at least one nutrient for capturing and maintaining the viable matter in a living state without promoting growth.

While the Applicants agree that the allowed claims recite a combination of subject matter that is patentable over the cited references, the Applicants do not necessarily agree with or acquiesce in the statement of reasons for allowance given by the Examiner. Moreover, the

Applicants note that the recited subject matter as well as various other subject matter and/or combinations of subject matter may be patentable for other reasons than those given by the Examiner. The Applicants expressly reserve the right to set forth additional and/or alternative reasons for patentability and/or allowance in connection with the present Application or in any other future proceeding.

**REMARKS**

These Comments on Statement of Reasons for Allowance under 37 C.F.R. § 1.104 are intended to be responsive to the Notice of Allowance dated February 14, 2007.

Respectfully submitted,

Date 3/6/2007

FOLEY & LARDNER LLP  
Customer Number: 26371  
Telephone: (313) 234-7150  
Facsimile: (313) 234-2800

By 

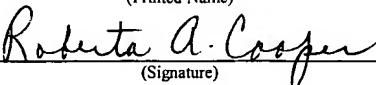
Marcus W. Sprow  
Attorney for Applicant  
Registration No. 48,580



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EV 962270055 US	03/06/07
(Express Mail Label Number)	(Date of Deposit)
Roberta A. Cooper	
(Printed Name)	
	
(Signature)	

**ISSUE FEE TRANSMITTAL**

Mail Stop **ISSUE FEE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed herewith please find Issue Fee Transmittal Form PTOL-85(B).

A credit card payment form in the amount of \$1,000.00 for payment of the Issue Fee and the Publication Fee is also enclosed.


The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 3/6/2007

FOLEY & LARDNER LLP  
Customer Number: 26371  
Telephone: (313) 234-7150  
Facsimile: (313) 234-2800

By 

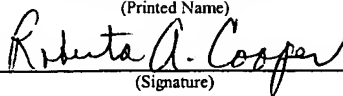
Marcus W. Sprow  
Attorney for Applicant  
Registration No. 48,580



Atty. Dkt. No. 035729-0103

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EV 962270055 US	03/06/07
(Express Mail Label Number)	(Date of Deposit)
Roberta A. Cooper	
(Printed Name)	
	
(Signature)	

**TRANSMITTAL**

Mail Stop **ISSUE FEE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents for the above-identified application..


- [ X ] Issue Fee Transmittal (2 pages).
- [ X ] Form PTOL-85(B) (1 page).
- [ X ] Comments on Statement of Reasons for Allowance (2 pages).
- [ X ] Credit Card Payment Form in the amount of \$1,000.00 (1 page).

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 3/6/2007

FOLEY & LARDNER LLP  
Customer Number: 26371  
Telephone: (313) 234-7150  
Facsimile: (313) 234-2800

By 

Marcus W. Sprow  
Attorney for Applicant  
Registration No. 48,580